IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Bail Appl..No. 3780 of 2007()

CRIME NO.228 OF 2007 OF KURUPPUMPADY POLICE STATION,KURUPPUMPADY

.....

: PETITIONER/SECOND ACCUSED

RAJESH NAIR,
AGED 34 YEARS, S/O NARAYANAN, MANACKAKUDY VEEDU,
MUTHALAKKULAM BHAGOM, KATTAKADA VILLAGE,
THIRUVANANTHAPURAM DISTRICT,
NOW RESIDING NEAR U.C.COLLEGE, ALUVA.

BY ADV. SRI.G.RAJAGOPAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3780 of 2007

Dated this the 25th day of June, 2007

ORDER

Application for regular bail. The petitioner along with the co-accused faces allegations of having committed an offence punishable under Section 394 I.P.C. On 11.05.2007, the petitioner along with another person is alleged to have attacked the driver of a lorry, who was sleeping inside the vehicle. The driver was allegedly pulled down. The accused allegedly took away the vehicle and cash of about Rs.16,000/- (Rupees Sixteen thousand only) in the vehicle. F.I.R was registered promptly on 11.05.07. The vehicle was intercepted at Neriyamangalam on 14.05.2007, the incident having taken place at Pulluvazhi. The vehicle has been recovered. The amount robbed has also been recovered. The petitioner continues in custody from 14.05.2007.

2. The learned counsel for the petitioner submits that the allegations are totally false. Even assuming the allegations to be true, there is no justification in the insistence on continued detention of the petitioner. The petitioner may now be enlarged on bail subject to appropriate conditions, prays the learned counsel for the petitioner.

3. The petitioner is a person having criminal antecedents. He is involved in at least two other crimes. The petitioner has given

false name and addresses and got married to different girls fraudulently. He is also involved in a counterfeit currency note case, submits the learned Public Prosecutor. In these circumstances, it would be inexpedient to direct release of the petitioner at this early stage, submits the learned Public Prosecutor.

4. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. I am satisfied, that at this early stage of investigation the petitioner need not be enlarged on bail in a serious crime like this. The Investigator is certainly entitled for some further time to complete the investigation before the question of release of the petitioner on bail is considered by this Court.

5. This application is, in these circumstances, dismissed. I may hasten to observe that the petitioner shall be at liberty to move the Sessions Court or this Court for bail again at a later stage of the proceedings, not, at any rate, prior to 09.07.2007. The Investigator shall in the meantime make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

rtr/-